

# EXHIBIT H

**From:** Jared Hartzman  
**Sent:** Tuesday, August 8, 2023 4:33 PM  
**To:** headwater@raklaw.com  
**Cc:** [SERVICE FR] Samsung-Headwater  
**Subject:** RE: Headwater v. Samsung Case No. 2:22-cv-422: Intent to Supplement Contentions

Counsel,

Following up on my below email, Samsung hereby notifies Headwater that it plans to move for leave to amend its Invalidity Contentions (previously served on May 9, 2023) to incorporate the material specified in Samsung's supplemental responses to Headwater Interrogatory No. 1 dated June 30, 2023, August 1, 2023, and August 8, 2023. Samsung has been diligently pursuing third party discovery and, as Headwater is aware, third-party Google produced material on July 31, 2023 relating to Android Devices and Android Operating System ("OS") versions that pre-date the Asserted Patents' alleged inventions. Such Android Devices and OS versions do not constitute new prior art as they were explicitly listed as 35 U.S.C. 102/103 art and charted in Samsung's initial Invalidity Contentions (*see, e.g.*, Exs. A-10, B-10, C-10, D-10, E-10, F-10, G-10, H-10, and I-10 to Samsung's Invalidity Contentions). In light of Google's recent production, Samsung was able to identify additional information relevant to the various Android Devices and OS versions already included in Samsung's Invalidity Contentions. Samsung immediately produced that information to Headwater as Samsung became aware of it via rolling productions on July 31, 2023, August 1, 2023, and August 4, 2023 and explained the relevance of such information in Samsung's supplemental interrogatory responses.

As a courtesy, a redlined version of Samsung's amended invalidity contentions can be downloaded at this link: <https://send.fr.com/link/vUEQbF9XcVm3kXBazducYl>

Please provide Headwater's position on Samsung's forthcoming motion for leave to amend its Invalidity Contentions.

Regards,  
Jared